

EXHIBIT M

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September 3, 2021

VIA Certified U.S. Mail

249 W. 49th Street, LLC
Attention: Ms. Sheeli Aggarwal
8461 Abingdon Road
Kew Gardens, New York 11415

**RE: NOTICE OF CONTINUING DEFAULT AND
DEMAND FOR IMMEDIATE PAYMENT**

Dear Ms. Aggarwal:

I am counsel for SMS Financial Strategic Investments III, LLC ("SMS"). Please allow this to serve as continued Notice of Your Default and demand for immediate payment.

On June 19, 2020, SMS originally declared all amounts immediately due and payable and accelerated pursuant to the Loan Agreement (the "Acceleration Notice"). After the Acceleration Notice, additional amounts have accrued under the Loan Agreement.

As of September 1, 2021, the total amount now due and owing under the Loan Agreement is:

Principal Balance as of September 1, 2021	\$4,753,006.35
Prepayment Premium	\$157,194.89
<u>Late Charges</u>	<u>\$6,004.59</u>
Total Payoff	\$4,916,205.83

Default Interest continues to accrue as set forth in the Loan Agreement. Further, unpaid taxes continue to accrue which constitute an additional continuing event of default under the Loan Agreement.

We have included with this Notice, the New York Commercial Mortgage Foreclosure Hardship Declaration. Please be further advised that acceptance of any future payments or offers of payment, to the extent they also do not represent the full required payment, including all accrued interest, late fees, attorney's fees or other recoverable costs or expenses, shall neither constitute a waiver by SMS of any defaults which may exist or later arise under the Loan Agreement. SMS emphasizes that it is not obligated to provide any additional notices regarding continuing events of default. SMS is also not obligated to provide additional notices regarding foreclosure proceedings other than those required by applicable law. SMS continues to expressly reserve all claims and rights without a waiver of any rights or remedies and without the need for issuance of additional notices.

We urge you to give this matter your prompt and serious attention.

Sincerely,
/S/Jonathan M. Robbin
Jonathan M. Robbin

Enclosure

Return to:
SMS Financial, LLC
3707 East Shea Boulevard, Suite 100
Phoenix, Arizona 85028
rstewart@smsfinancial.net
(602) 944-0624

NOTICE TO COMMERCIAL MORTGAGOR:

If you have lost significant revenue or had significantly increased necessary costs during the COVID-19 pandemic, and you sign and deliver this hardship declaration form to your mortgage lender or other foreclosing party, you may be protected from foreclosure until at least January 15, 2022.

If your mortgage lender or other foreclosing party provided you with this form, the mortgage lender or other foreclosing party must also provide you with a mailing address and e-mail address to which you can return this form. If you are already in foreclosure proceedings, you may return this form to the court. You should keep a copy or picture of the signed form for your records. You will still owe any unpaid mortgage payments and lawful fees to your lender. You should also keep careful track of what you have paid and any amount you still owe.

COMMERCIAL MORTGAGOR'S DECLARATION OF COVID-19-RELATED HARDSHIP

I am the owner, chief executive officer, president, or similar officer of _____, which is the mortgagor of the property at _____. My business owns, whether directly or indirectly, ten or fewer commercial units. My business is resident in New York State, independently owned and operated, not dominant in its field, and employs fifty or fewer persons. My business is experiencing financial hardship and is unable to pay the mortgage in full because of one or more of the following:

1. Significant loss of revenue during the COVID-19 pandemic.
2. Significant increase in necessary expenses related to providing personal protective equipment to employees or purchasing and installing other protective equipment to prevent the transmission of COVID-19 within the business.

3. Moving expenses and difficulty in securing an alternative commercial property make it a hardship for the business to relocate to another property during the COVID-19 pandemic.
4. One or more of the business's tenants has defaulted on a significant amount of their rent payments since March 1, 2020.

To the extent that the business has lost revenue or has increased expenses, any public assistance the business has received since the start of the COVID-19 pandemic does not fully make up for the business's loss of revenue or increased expenses.

I understand that the business must comply with all other lawful terms under my commercial mortgage agreement. I further understand that lawful fees, penalties, or interest for not having paid the mortgage in full as required by the commercial mortgage agreement may still be charged or collected and may result in a monetary judgment. I also understand that the mortgage lender or other foreclosing party may pursue a foreclosure action against the business on or after January 15, 2022, if I do not fully repay any missed or partial payments and lawful fees. I understand that I may be eligible to receive financial assistance from the State of New York under the Pandemic Small Business Recovery Grant Program or similar relief program, and that I may visit <https://esk.ny.gov/business-pandemic-recovery-initiative> to receive additional information or call 877-721-0097 for assistance.

Signed: _____

Printed Name: _____

Date Signed: _____

NOTICE: You are signing and submitting this form under penalty of law. That means it is against the law to make a statement on this form that you know is false.